

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 04-51233

TODD T. KNEISEL CONST. CO.,

Chapter 7

Debtor.

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Judge Thomas J. Tucker

**ORDER REQUIRING THE CHAPTER 7 TRUSTEE (OR, IN THE ALTERNATIVE,  
THE UNITED STATES TRUSTEE) TO FILE A CORRECTED  
20-DAY NOTICE OF TRUSTEE'S FINAL REPORT**

On July 28, 2009, the United States Trustee filed a "Notice of Trustee's Final Report and Applications For Compensation" (Docket # 342). There are two related problems with this 20-day notice (Docket # 342, at 7). First, the notice states that creditors must file objections "within 20 days of the date of this notice," rather than within 20 days *after service* of this notice.<sup>1</sup> Second, the notice is dated "05/29/09," even though it was not filed until July 28, 2009. Taken together, these two errors mean that creditors must object to the Trustee's final report by June 18, 2009, even though the notice was not even served on the creditors until the BNC mailed it to them on July 31, 2009 (*see* Docket # 343).

For these reasons,

IT IS ORDERED that no later than **August 14, 2009**, the Chapter 7 Trustee, or if the United States Trustee so desires, the United States Trustee, must file a corrected notice of the Trustee's final report that corrects both of these defects in the 20-day notice. The corrected 20-day notice then must be promptly served on all creditors on the matrix.

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<sup>1</sup> With respect to fee applications exceeding \$1,000.00, whether by attorneys, accountants, trustees, or any other professional, the combination of Fed.R.Bankr.P. 2002(a)(6) and L.B.R. 9014-1(a)(second sentence) and 9014-1(b)(2) requires a notice/objection period that is 20 days *after service* of the notice.

**Signed on August 09, 2009**

**/s/ Thomas J. Tucker**

**Thomas J. Tucker  
United States Bankruptcy Judge**